

**GOVERNOR'S TASK FORCE  
ON  
WASTE MATERIALS RECOVERY AND DISPOSAL**

**Meeting Minutes**

**October 19, 2005  
Lee Sherman Dreyfus State Office Building  
141 NW Barstow Street  
Waukesha, Wisconsin**

**Members Present:** Chairman Tony Vogel, Brian Borofka, George Dreckmann, Franklyn Ericson, Loreen Ferguson, Jeff Fielkow, Paul Jenks, Brian Jongetjes, Jennifer Kunde, Charles Larscheid, Michael Michels, Sonya Newenhouse, John Reindl, Keith Reopelle

**Excused:** Richard Bishop, Meleesa Johnson, Lynn Morgan, Gary Zajicek

**Absent:** [none]

**DNR Staff Attending:** Kate Cooper, Dan Field, Nancy Gloe, Rob Grosch, Cynthia Moore, Al Shea, Shelley Warwick, Brad Wolbert

**Others Attending:** Brian Tippetts (La Crosse County), Joseph Van Rossum (UW-Extension SHWEC), Steve Brachman (UW-Extension SHWEC), Charlene Lemoine (Waukesha County Environmental Action League), Russ Evans (Waukesha County Environmental Action League), Ed Wilusz (Wisconsin Paper Council), Preston Cole (City of Milwaukee), Mike Engelbart (City of Milwaukee), Bill Tarman-Ramcheck (City of Wauwatosa), Karen Fiedler (Waukesha County; BeSmart Coalition), Connie Bevy, Judy Sommers, Ken Skowronski, Tom Taylor (City of Franklin), Jesse Wesolowski, Bob Emery, Angela Peterson, Perry Lindquist (Waukesha County), Carol Larscheid, J.W. Spear (Badger Chapter, Solid Waste Association of North America), Faith Spear, JoAnne Kloppenburg (DOJ), Conor Moran (DOJ)

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**Call To Order:** Chairman Vogel called the meeting to order at 12:39 p.m.

**Minutes:** John Reindl requested that the minutes of the September 21, 2005 meeting be amended to include a key point on page 3, regarding Gene Mitchell's background presentation on landfill organic stability: that it is not a matter of "if" engineered systems at landfills will fail, but "when." The motion was made and seconded, and carried unanimously, to approve the September 21, 2005 meeting minutes as amended.

**Logistics:** Chairman Vogel led a discussion on the Task Force's workgroups. He expressed his appreciation to those members who agreed to serve on a group other than their first choice in order to allow a balance in numbers to be achieved, and noted that it may be possible for those with interest in more than one workgroup to sit in on other groups' meetings; members so wishing should contact the respective workgroup chair. Task Force meetings next year may be scheduled to allow staggered workgroup meetings (i.e., one group before the Task Force, one group afterwards) to make it easier for members to attend more than one group. Chairman Vogel asked that groups report back to the Chair regularly.

Chairman Vogel noted one change in workgroup membership subsequent to his October 17 email, which listed group membership: Paul Jenks will serve on the Economics group. With that change, group rosters are as follows:

Land Use

Mike Michels (chair)  
Chuck Larscheid  
Lynn Morgan  
Sonya Newenhouse  
Keith Reopelle

Economics and Institutions

Rich Bishop (chair)  
Brian Borofka  
Paul Jenks  
Meleesa Johnson  
John Reindl  
Tony Vogel

Waste Reduction

Jenna Kunde (chair)  
George Dreckmann  
Frank Ericson  
Loreen Ferguson  
Jeff Fielkow  
Brian Jongetjes  
Gary Zajicek

In response to a previous inquiry by one of the members regarding potential conflicts of interest that might arise if members represent the particular viewpoint of their organization or company, Chairman Vogel stated that Task Force members were selected in part because they could represent a variety of viewpoints and thereby enrich the debate. However, as the group begins to form recommendations, there will be a greater emphasis on finding common ground and minimizing parochialism.

The Task Force discussed format protocol for the public comment portion of the meeting. Members made a number of suggestions, including establishing time limits, allowing members to ask clarifying questions or respond briefly to factual questions, keeping count of the number of people on either side of issues, maintaining a relatively informal atmosphere to promote public participation, and asking members of the public to identify themselves or at least state where they are from.

Keith Reopelle asked about plans for the November meeting of the Task Force. Chairman Vogel indicated that it will be in Eau Claire on November 16, and that although the meeting times are yet to be determined, the meeting format will likely be similar to that of the Waukesha meeting.

**Background Presentation – Primer on Commerce Clause:** Chairman Vogel and JoAnne Kloppenburg of the Wisconsin Department of Justice presented information on the Commerce Clause (Article I, Section 8) of the U.S. Constitution as it relates to waste management, and on related Wisconsin case law. Key points included:

- States may regulate commerce where Congress does not, but in doing so cannot unduly burden commerce among the states (this restriction is known as the “dormant commerce clause”).
- The U.S. Supreme Court (“the Court”) has held that free access to every market in the nation (i.e., every state) must be maintained. If a law discriminates outright against products from another state, it is unconstitutional. If the discrimination is not outright, and if the burden is low relative to the benefits, it may pass constitutional muster.
- In *City of Philadelphia v. New Jersey* (1978), the Court held, 7-2, that New Jersey’s law barring the importation of out-of-state waste violated the Commerce Clause because it discriminated against articles of commerce solely based on their out-of-state origin. The Court also rejected the argument that waste is not an article of commerce because it is worthless.
- In a 1992 case, *Fort Gratiot Landfill v. Michigan DNR*, the Court found that a state law that prohibited facilities from accepting waste generated outside a county unless the disposal of that waste was authorized in the receiving county’s waste management plan was unconstitutional because it acted as a protectionist measure and allowed counties to isolate themselves from the national economy.
- Also in 1992, the Court struck down an Alabama law that imposed a higher fee on hazardous waste generated outside Alabama but disposed of within Alabama than on hazardous waste

generated and disposed of in Alabama (*Chemical Waste Management, Inc. v. Hunt*), because the only basis for the differential in fees was the origin of the waste. The Court noted several potential, less-discriminatory alternatives to the Alabama fee structure, including raising the fee on all hazardous waste regardless of place of origin, charging a per-mile tax on all vehicles hauling hazardous waste, and imposing an absolute cap on the total tonnage accepted at the state's hazardous waste landfills.

- The Court struck down flow control in its decision in *C&A Carbone v. Town of Clarkstown* (1994), finding that the economic effects of a local ordinance requiring use of a designated waste facility within a local jurisdiction was interstate in reach, raised costs for out-of-state users of the service, and was therefore unconstitutional. The Court also found that the article of commerce in question is not the waste itself but the service of getting rid of the waste.

It is notable that Chief Justice Rehnquist, often joined by one or more Associate Justices, consistently dissented from the majority opinions in the above cases. Chairman Vogel described the “market participant doctrine,” under which the state itself – if it owned a landfill – could charge a higher fee for out-of-state waste. Chuck Larscheid noted that, based on the case law, counties can bar out-of-county waste but not out-of-state waste.

JoAnne Kloppenburg of the Wisconsin Department of Justice, who represented the State of Wisconsin in a series of cases relating to the recycling law's effect on interstate waste flows, summarized the Wisconsin-specific waste laws:

- Wisconsin's recycling law prohibited disposal of waste in Wisconsin landfills unless the waste originated in a region with an “effective recycling program” as defined in Wisconsin law. The 7<sup>th</sup> Circuit Court of Appeals, in *National Solid Waste Association v. Meyer* (1995) found this law unconstitutional both on interstate commerce and on due process grounds since it effectively required out-of-state municipalities to pass and implement Wisconsin law in the form of local ordinances. The 7<sup>th</sup> Circuit Court's decision suggested that there were other, less-discriminatory methods for Wisconsin to achieve its ends, including narrowing the scope of the law to apply only to waste destined for Wisconsin landfills.
- When Wisconsin changed its law to address the 7<sup>th</sup> Circuit Court's decision, however, it was struck down in federal District Court. Wisconsin's appeal to the 7<sup>th</sup> Circuit Court failed on the grounds that it separating waste into Wisconsin-bound and non-Wisconsin-bound streams was practicably unworkable and that the new law did not address all of the constitutional problems identified in the previous case.
- Wisconsin's imposition in 2001 of a \$3/ton tipping fee was also challenged in court, but the challenge failed in District Court because it did not discriminate between in-state and out-of-state waste and because the revenues raised by the fee were used for a purpose related to the source of the revenue, i.e., recycling which prolongs the life of Wisconsin landfills.
- Michigan's law prohibiting more than de minimis quantities of certain recyclable and toxic wastes (e.g., beverage containers; car batteries) from being landfilled specifies that out-of-state waste can only be landfilled in Michigan if it is a uniform waste (e.g., coal ash), if it has been processed to remove the prohibited items, or if it comes from a jurisdiction found to comply with Michigan's requirements (Wisconsin has been found in compliance). Challenges to this law have failed so far, and parties have agreed to suspend further legal proceedings until clarifying rules (e.g., regarding enforcement) have been written.

The group discussed the following points:

- Michigan's law differs from Wisconsin's in that Michigan's appears to be easier to enforce, (although the inspections are cumbersome). Absolute bans, if enforceable, seem to pass the constitutionality test.
- Michigan's law may run afoul of international law regarding treaties if it conflicts with treaties between Canada and the U.S.
- The Michigan approach relies not on blocking the import of waste, but on making it more expensive to meet the quality standard to which home communities are also held.
- Changes to Wisconsin's landfill siting law could also reduce imports if it gave localities a veto power. The landfill siting law is intended to meet the disposal needs of Wisconsin, but service area boundaries are drawn to include places like Chicago. Landfills designed to meet Wisconsin needs may not have the capacity for in-state waste if they accept out-of-state waste as well.
- Brian Tippetts informed the Task Force that since 1997, Maine law has prohibited landfill owners from developing new landfills to accept wastes generated by others, although private operators can work with municipalities to jointly develop a landfill to be owned by the municipality generating the waste.
- Paul Jenks advised caution in interfering with the free market in waste. New Jersey, for one example, has few remaining landfills and must either incinerate its garbage or ship it to Pennsylvania. As waste disposal gets more expensive, industry's costs increase and serve as a factor in proposals to relocate. John Reindl pointed out that waste disposal costs are a tiny fraction of total costs for most industries.

**Background Presentation – Out-of State Waste:** Brad Wolbert provided a powerpoint presentation (*see handout*) with additional information and statistics on waste imports and exports to Wisconsin, and interstate waste flows within the U.S. During the presentation, Paul Jenks noted that published tipping fees do not reflect the much lower actual fees charged most large customers. Actual tipping fees are generally proprietary information, though public customers may make bid information available. Regarding state tipping surcharges, these may put a state at a disadvantage when competing for new or expanding industries. George Dreckmann indicated that surcharges may not be passed through to customers due to a desire by landfill operators to maintain market share. Paul Jenks stated that some Minnesota waste is being forced out of state by high county incinerator prices, and that as the bonds are retired on these facilities, they will close or lower prices.

**Background Presentation – Comparison of State Recycling and Landfill Programs:** Cynthia Moore and Brad Wolbert presented benchmarking information (*see handouts*) on neighboring states' recycling and waste disposal programs.

WI, IL, MN, IA and MI vary in the role of solid waste planning and the extent to which local governments can influence landfill siting decisions. In general, Wisconsin local governments have less authority in this respect, and solid waste planning plays less of a role than in the other states. Wisconsin has significantly less landfill capacity in reserve (approximately 8 years) than the other 4 states in this comparison. Paul Jenks noted that the current Wisconsin statutory limit on landfill site life helps ensure that landfill operating plans employ relatively modern technology.

Wisconsin's recycling program differs from those in MN, IL and MI in that it is implemented through communities (towns, villages, cities and counties) and does not impose top-down recycling rate targets. Wisconsin's extensive, conditional landfill bans are unique, but other states have absolute bans on various items. For purposes of discussion, Chairman Vogel invited the Task Force to propose additional materials that should be on the Wisconsin landfill ban list; members suggested cathode-ray tubes (CRTs), other electronic devices, and mercury-containing devices.

Wisconsin raises money to support local recycling programs through a surcharge on business taxes and through the tipping fee on landfilled material. The current base of \$24.5 million in annual grants to local municipalities has been preserved, but the remainder can be and has been diverted for other uses such as state budget deficit reduction. When the recycling law was passed, local communities were promised 2/3 funding support and supported the law on this basis, but state support has dropped to 28%; communities view this as a breach of trust by the state, although it is higher than most other states including MN. Frank Ericson observed that the Task Force may want to recommend that all recycling segregated funds be insulated from other uses.

Comparing states' recycling rates is difficult due to widely varying standards in materials included, measurement methods and reporting requirements. Wisconsin doesn't count in-plant recycling by industry, tire incineration, or onsite management of yard waste in its published 32% recycling rate. MN has a higher published rate of 39%. IL is at 30% and MI at 20%, which includes an estimated 97% recovery rate on beverage containers covered by the 10-cent deposit law.

**Public Comment Summary:** Chairman Vogel opened the public comment portion of the meeting with introductory remarks regarding the history of the task force, a recitation of the charge from Executive Order #106, and a description of the membership and workgroups. He reviewed the protocol for oral comments, and stated that written comments via the website will also be accepted once the website is functioning.

The Task Force received comments from 13 members of the public. The committee also received written comments by mail from the Milwaukee Metropolitan Sewerage District (MMSD) and from the Wisconsin Counties Association. Comments received to date are provided in the attached Public Comment Summary. A copy of the Public Comment Summary and written comments provided to the committee will be posted on the Task Force website.

**Other Matters:** During a break in the public comment period, the Task Force briefly discussed the environmental impacts of waste pharmaceuticals, in response to the letter from MMSD. Waste pharmaceuticals are highly regulated; Paul Jenks suggested that the Task Force's ability to act on this issue is limited. The issue seems related to disposal of sharps and consequent hazards to workers in the waste and recycling industries. There is legislative action underway on this issue. Jeff Fielkow suggested this issue be delegated to the Waste Reduction workgroup, and Paul Jenks suggested that DNR staff prepare a brief written report for the workgroup.

Chairman Vogel led a discussion on the Task Force's upcoming workgroup process. Several members expressed their desire to have a clearly articulated process to follow in formulating workgroup decisions and communicating them to the Task Force. Among the questions discussed were the inclusion of minority views, decisionmaking by consensus vs. voting, use of outside expertise by workgroups, the level of detail of recommendations, prioritization of issues, and process steps for analyzing issues and developing recommendations. Paul Jenks proposed that groups separate those issues on which a consensus exists from those that require more discussion. John Reindl suggested that the groups should list what issues and recommendations were left behind as well as what issues were considered. Chairman Vogel offered to prepare a guideline for the process of developing recommendations.

George Dreckmann suggested, and members generally agreed, that workgroups should communicate between meetings to refine the questions they will deal with, and assign topics to members prior to the next Task Force meeting.

**Adjournment:** The Task Force meeting was adjourned at 7:30 p.m. The next Task Force meeting is scheduled for November 16 at the DNR Regional Office in Eau Claire.

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**GOVERNOR'S TASK FORCE  
ON  
WASTE MATERIALS RECOVERY AND DISPOSAL  
  
SUMMARY OF PUBLIC COMMENTS**

**October 19, 2005  
Lee Sherman Dreyfus State Office Building  
141 NW Barstow Street  
Waukesha, Wisconsin**

The Governor's Task Force on Waste Materials Recovery and Disposal accepted public comment at its October 19, 2005 meeting in Waukesha. Thirteen commenters provided their comments in person at the meeting, and two additional commenters sent written comments to the Chair prior to the meeting.

**Public Comments (in order of appearance):**

1. **Charlene Lemoine** representing the Waukesha County Environmental Action League (WEAL).  
Written testimony submitted.

WEAL supports limiting dependence on landfills through improved recycling and waste reduction initiatives such as extended producer responsibility on electronic waste and bottle deposit laws and asked the Task Force to keep the vision of "Moving Towards Zero Waste" as their primary recommendation to Governor Doyle. WEAL also asked the Task Force to recommend revisions to Ch. 289, Wis. Stats., to ensure that the public is included in the landfill siting process.

2. **Bill Tarman-Ramcheck** representing the City of Wauwatosa on behalf of Mayor Estness. Written testimony submitted.

Mayor Estness sponsored two resolutions this year, both of which were adopted by the environmental committee of the Conference of Mayors and are currently under consideration for further action. One resolution addresses the importance of gathering energy from garbage through waste to energy (WTE) and landfill gas recovery (LGR) and the other addresses the need to exert local control over processing facilities through public-private partnerships and incentives. In order to evaluate the cost effectiveness of these alternatives compared to current solid waste and recycling systems, an in-depth cost analysis should be undertaken, looking at the costs of garbage collection and recycling and the costs of landfilling including long term liabilities, externalities and subsidies. Local markets for recyclables and yard waste should be explored, as well as strategies to increase grant assistance to

Responsible Units. Subscription service for waste and recyclables collection should be prohibited due to its inefficiency.

3. **Brian Tippetts** representing the La Crosse County Solid Waste Department. No written testimony submitted.

Mr. Tippetts submitted a copy of a 2003 letter from EPA commending the environmental efforts of the municipal waste-to-energy industry, of which the La Crosse facility is a member. A copy of this letter was submitted to the Task Force.

Mr. Tippetts stated that the issue of out-of-state waste is not about landfill capacity but really about imposing long-term liability of landfills onto Wisconsin residents and the tarnishing of Wisconsin's tourism image. Mr. Tippetts noted that the La Crosse incineration facility needs out-of-state waste and that states pay a premium for incineration because of lesser liability concerns. Mr. Tippetts voiced his concern that the large number of responsible units in Wisconsin's recycling program undermine program efficiency, wondered how much energy would be saved by increasing recycling, and noted that WTE systems produce energy with less environmental impact compared to other sources of energy. La Crosse County manages solid waste itself because it reflects the community's desire for accountability, a limit to long-term landfill liability, and strong competition in the waste hauling business.

Mr. Tippetts stated that the Wisconsin Counties Association (WCA) Board of Directors had passed a resolution in April 2005 encouraging counties to take a more proactive role in planning for solid waste programs and services and to encourage the DNR to implement the portion of state statute that relates to county solid waste management plans. Chairman Vogel acknowledged receipt of the WCA (*see item 14, below*).

4. **Connie Bevry**, a private citizen and resident of Paris Township in Kenosha County. Written testimony submitted.

Paris Township has been impacted by the state landfill laws, in particular the landfill siting laws which limit the role of a community in landfill siting decisions and which pits residents against each other (town residents furthest from landfill support landfills as a source of revenue for the town; residents nearest landfill suffer the consequences). Ms. Bevry's recommendations for the Task Force and Wisconsin include: set landfilling fees that are competitive with surrounding state fees, make a serious effort to eliminate waste, recognize that dry tomb landfills are outdated, eliminate landfills on state borders, re-invigorate markets for scrap and recyclables, take money out of the siting negotiation process, and encourage manufacturer responsibility.

5. **Judy Sommers**, a private citizen and resident of Paris Township in Kenosha County. Written testimony submitted.

Local residents were assured Pheasant Run landfill would close in 2008, but it now is applying for huge expansion. Ms. Sommers suggested a moratorium on expanding and siting new landfills until there are better recycling plans and the new landfill leachate line rules are in effect. Ms. Sommers also believes that higher tipping fees will discourage out-of-state waste from Wisconsin landfills. Ms. Sommers noted the inclusion of waste disposal company representatives on the Task Force and expressed the hope that they will not sway the Task Force's recommendations.

6. **Ken Skowronski** (Alderman, 6<sup>th</sup> District) representing his constituents in the City of Franklin. No written testimony submitted.

Mr. Skowronski testified that the City of Franklin has undergone rapid but planned economic growth. The proposed expansion of the Metro landfill is bad for economic growth.

7. **Perry Lindquist** representing the Waukesha County Department of Parks and Land Use. Written testimony submitted.

Mr. Lindquist noted that Waukesha County is very active in a number of recycling and composting activities, is a key participant in the Wisconsin BeSmart Coalition and owns a materials recovery facility. The County supports the WCA resolution to encourage DNR to implement s. 289.10, Wis. Stats., related to implementation of county solid waste management plans, adding that state funding is critical for these efforts. The County also supports expanding recycling grant eligible costs to non-banned items such as household hazardous waste and electronics, and supports coordinated waste reduction and recycling education with incentives to programs which participate in such programs. Finally, the County would support rule updates and technical assistance for siting municipal compost facilities and on organics management in general. This should be discussed in the context of landfill stabilization and long-term financial responsibility.

8. **Karen Fiedler** representing the Wisconsin BeSmart Coalition. Written testimony submitted.

Over the past 10 years, the Wisconsin BeSmart Coalition has worked cooperatively with municipal members, business sponsors and non-profit agencies to provide leadership and promote actions to reduce waste, conserve resources, prevent pollution, and foster sustainability. The BeSmart Coalition submitted recommendations to strengthen waste reduction and recycling in Wisconsin:

- Support coordinated waste reduction in addition to recycling
- Continue incentives for intergovernmental cooperation such as the Recycling Efficiency Incentive (REI) grants
- Allow responsible units to use recycling grants funds for non-banned materials
- Provide more grant assistance to responsible units
- Support legislation requiring producer responsibility
- Support infrastructure and technical assistance for organics composting and energy recovery from wood
- Support solid waste management programs that increase productivity of natural resources, reduce dependency on non-renewal energy sources and eliminate waste

9. **Mayor Tom Taylor** representing the City of Franklin. No written testimony submitted.

Mayor Taylor stated that he has testified on numerous occasions, but that this was the most important because it concerns landfill siting and expansions. Decisions related to landfill siting are permanent changes to the Earth, and the risk is forever. Even if a landfill is perfectly engineered, it removes land from development and nature. The City of Franklin has been impacted by the recent Metro landfill expansion. As a member of the siting committee, Mayor Taylor offered suggestions on how to improve the siting process and other decisions related to waste disposal and landfill expansion:

- Exclude from the negotiation process
  - standards for noise, smell, well testing, fire safety, and hazardous materials, which local communities should not have to bargain for
  - zoning and permits for communities not directly hosting the landfill



- residential dropoff programs, which should be automatic, otherwise they pit residents wanting free landfill services against elected officials trying to meet the needs of the municipality
- Impose a higher rate (at least 4 times higher) on haulers for out-of-state waste
- Allow flexibility with respect to allowed topics in the arbitration process
- Ensure greater participation on siting committee by actual neighbors to landfill

10. **Angela Peterson**, a private citizen and resident of City of Franklin. No written testimony submitted.

Landfill neighbors have very little ability to influence the landfill siting process through the siting committee, which may be made up of individuals that don't live near the landfill. The state should mandate certain minimums in local agreements, such as well protection and others mentioned by Mayor Taylor, to free local siting committee to deal with other critical issues.

11. **Bob Emery**, a private citizen and resident of Paris Township. No written testimony submitted.

Mr. Emery questioned why landfills were not looked at or considered as utilities. He noted that the Task Force has a big task, commenting:

- Consider talking with Wisconsin legislators at the Federal level about issues such as the interstate commerce clause
- The siting process does not allow communities across the county border a say in the negotiation process, even if these are located immediately adjacent and will be impacted by the decision, while it gives a voice to others who may not be immediately affected
- The siting process is pegged to meet the needs of private companies
- The environment near a landfill is a depreciable asset
- The Task Force's look at these issues will necessarily be superficial unless outside consultants are hired to obtain the information that the landfill companies are privy to
- Fuel costs will impact the true value of recycled plastic-possibly making plastic recycling more viable
- The state Siting Board should set landfill fees to be consistent with fees in neighboring states
- Consider a board empowered to change tipping fees as needed to control demand

12. **Mike Engelbart** representing the City of Milwaukee. No written testimony submitted.

Mr. Engelbart offered suggestions to improve management of solid wastes:

- Continue the Recycling Efficiency Incentive Grants (REI) which promote dialogue among RUs and efficiency in program delivery
- Allocate more of the Recycling Segregated Funds to support curbside recycling programs. The costs to implement these programs have increased but no additional funds have been provided.
- Gather information on what other recycling programs are doing (in-state and out-of-state) including single stream collection, fully automated collections, organics diversion and composting.

Mr. Engelbart informed the Task Force that:

- Mayor Barrett has instituted a Green Team to identify ways to optimize and reduce solid waste generation and energy consumption. A report will be available in November 2005.

- The City solid waste fee to residents (placed on water bills) will rise from \$75/year to \$132/year, and will cover approximately 87% of the solid waste collection and management costs incurred by the City.

13. **J. W. Spear** representing the Badger Chapter of the Solid Waste Association of North America (SWANA). Written testimony submitted.

Mr. Spear read from statement outlining the SWANA position on county or other local solid waste management planning requirements. SWANA supports local government management, but does not believe the local government needs to own or operate all components of the system. The local government body should develop a management plan which would include a process to measure progress and set budgets. The process would define how solid waste will be owned and operated.

**Written Comments (submitted prior to meeting):**

14. **Matthew Stohr** on behalf of the Wisconsin Counties Association (WCA). Resolution by WCA Board of Directors read by Chairman Vogel, and articles from August 2005 edition of *Wisconsin Counties* relating to recycling and solid waste management.

Resolution by the Board to “1) support efforts to encourage counties to be more proactive in planning for solid waste programs/services, and 2) support efforts to encourage the DNR to acknowledge and implement the portion (section 289.10) of the state statute that relates to county solid waste management plans.”

15. **Kevin Shafer** on behalf of the Milwaukee Metropolitan Sewerage District (MMSD). Written testimony read by Chairman Vogel.

Mr. Shafer informed the Task Force about the potential for improper disposal of pharmaceuticals are entering the ground water and wastewater treatment facilities to affect drinking water supplies and the environment. Flushing of unwanted medications down toilets is a major source of pharmaceuticals in the wastewater. Wastewater treatment plants are not designed to remove everything that ends up in the sewerage, and some pharmaceuticals end up in water bodies or receiving waters. One strategy to prevent this is to coordinate “reverse distribution” programs such as “Pharmaceutical Collections Days” which the MMSD is working on with Aurora Pharmacy.

Mr. Shafer requested the Task Force to consider reviewing approaches and policies that would help reduce the negative impacts on these contaminants on the environment. Specifically, the Task Force could review information that state agencies could provide and could help find a way to overcome federal regulations that make it difficult to operate reverse distribution sites.